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To: Microsoft ATR,jeffersonmc@mail.house.gov@inetgw
Date: 11/16/01 9:22pm
Subject: The pending Microsoft settlements

First, I would like to say that I'm very distressed to see the proceedings fall apart as they have been. The DOJ had essentially won the case and now seems more concerned to hand the ball back to Microsoft. I do not doubt that there is a tremendous amount of pressure on the DOJ by the current administration to end this trial quickly. However, I'm concerned that the DOJ has moved away from a focus on what will protect the citizenry and instead moved to a focus of settling this case soon, at any cost.

The Microsoft monopoly only hurts the economy and the consumer. It chokes the life out of all competition and aggressively attacks them until they are only a shadow of their former selves. Sun Microsystems, Netscape Communications, Apple and many other companies have felt the force of a monopoly bent on domination. Thousands of jobs have been lost due to Microsoft's unfair business practices and even under the proposed settlement, thousands more will be lost.

Windows XP is a shining example of Microsoft's monopolistic practices. Now, with cd burning software and digital photo software included for free, it forces competition such as Nero and Kodak down the same path it forced Netscape long ago when it included Internet Explorer as a free addition to Windows. When you click on a file to open it, it does not ask you what program you wish to use to open it with. It simply opens it with Microsoft's programs and leaves the competition to fend for themselves.

Microsoft has proven to be VERY aggressive and very willing to use their monopolistic leverage to their advantage. Whether they use the leverage to punish vendors for loading other software, or use their software to make sure companies cannot switch to another operating system and keep using the same programs they've been using all along. This increases the learning curve for using other operating systems dramatically and ensures Microsoft will keep the monopoly at the expense of others.

It is my opinion as a consumer and a citizen that there is only one true solution to this monopoly. The solution is very similar to the one enforced on Bell which created a boon for the telephone industry. Ideally, Microsoft should be split into two companies. One company would retain the software and the other company would retain the operating system division. This would ensure that Microsoft would have to compete on their own merits and the merits of the programs. It would also ensure that other operating systems and software companies would have greater access to the consumer. No longer could Microsoft bundle a product for free in an effort to force a company and their products out

of the market.

The alternative to that path would be if Microsoft was forced to sell off either the operating system division or the software division. If the two divisions are not separated, even with strict controls, Microsoft would find ample loopholes to keep doing business as usual, circumventing the law and making a mockery of the legal system. They have already proved their willingness and ability to do this with the current wording of the proposed settlement.

If this solution is not acceptable to the DOJ, I have one request I beg you consider. PLEASE, for the sake of your citizenry, add a clause to the settlement that ensures the following:

Every program Microsoft creates, whether downloadable for free off the internet, or sold, should be not only available for the Windows platform, but with identical quality and function for the Macintosh and Linux platforms. Programs should no longer be bundled with windows beyond those required to connect to the internet.

Most non-Microsoft operating systems, beside Macintosh, have a way to run Linux programs on their platform. In addition, since Linux is open source and the code is free to the public, this ensures that future and present operating systems will have a way to code compatibility into their OS. Therefore, any Microsoft program released on the Linux platform, would be able to run on their platform as well. This one clause would level the operating system playing field and make the settlement much more palatable to many companies and people.

Thank you for your time,

Michael Staggs - registered voter
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